

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE BIOPURE CORPORATION
SECURITIES LITIGATION

Civ. No. 03-12628 -NG

**PLAINTIFFS' ASSENTED-TO MOTION FOR LEAVE TO FILE
PLAINTIFFS' POST-ARGUMENT SUPPLEMENTAL SUBMISSION
IN SUPPORT OF PLAINTIFFS' MOTION TO AMEND COMPLAINT**

Plaintiffs, with the assent of the Defendants, respectfully move this Court for leave, under Local Rule 7.1(b)(3), to submit the accompanying proposed Plaintiffs' Post-Argument Supplemental Submission In Support Of Plaintiffs' Motion To Amend The Complaint (the "Supplemental Submission"). As grounds for this motion, Plaintiffs state as follows:

1. The hearing on Plaintiffs' Motion To Amend was held on February 2, 2006.
2. The proposed Supplemental Submission presents to the Court a significant fact which was unknown to and unavailable to Plaintiffs at the time of the February 2, 2006 hearing, which fact is relevant to Plaintiffs' Motion For Leave To Amend The Complaint.
3. Counsel for Defendants assents to the relief sought by this Motion, and counsel for Plaintiffs has assented in advance to a reply by Defendants to the Supplemental Submission.

WHEREFORE, Plaintiffs respectfully request that this Assented To Motion For Leave To File Plaintiffs' Post-Argument Supplemental Submission In Support Of Plaintiffs' Motion To Amend The Complaint be granted.

Dated: March 13, 2006

Respectfully submitted,

SHAPIRO HABER & URMY LLP

/s/Edward F. Haber

Edward F. Haber BBO #215620
Theodore M. Hess-Mahan BBO #557109
Matthew L. Tuccillo BBO # 643336
53 State Street
Boston, MA 02109
(617) 439-3939

STULL, STULL & BRODY

Jules Brody
Howard T. Longman
6 East 45th Street
New York, New York 10017
(212) 687-7230

**Co-Lead Counsel For
Lead Plaintiff and The Class**

Certification of Compliance with Local Rule 7.1(A)(2)

I hereby certify that the parties' counsel conferred in good faith to narrow or resolve the issues raised in this motion. Counsel for Defendants assents to the relief sought herein. Plaintiffs' counsel has assented in advance to a reply by Defendants.

/s/ Edward F. Haber

Edward F. Haber

Certificate of Service

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing ("NEF") and paper copies will be sent to those indicated as nonregistered participants on the 13th day of March, 2006.

/s/ Edward F. Haber

Edward F. Haber